

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CURT R. THEGE,

Plaintiff,

vs.

BNSF RAILWAY COMPANY,

Defendant.

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Civil Action No.: 4:20-cv-3014

PROTECTIVE ORDER

Defendant BNSF Railway Company's ("BNSF") Unopposed Motion for Protective Order (Filing No. 21) is granted. Accordingly, IT IS ORDERED:

1. Video surveillance from BNSF's Havelock shop which depicts the incident at issue in this case ("Incident Video") is proprietary and confidential; BNSF therefore has an interest in maintaining confidentiality of the Incident Video. Incident Video (and any derivatives, *e.g.*, still photographs made from the Incident Video) which BNSF wishes to keep confidential and from being disclosed to the public or anyone outside the confines of this litigation shall be designated as such by stamping or labeling these materials as "Confidential—Subject to Protective Order" in a conspicuous place and manner.
2. These materials shall be treated as confidential by all parties and their representatives and shall not be disclosed to anyone except those necessary for the defense or prosecution of this suit. No such disclosure shall be made to anyone outside the context of this litigation.
3. If any of these materials are filed with the Court as part of the record in this case, they

shall be filed under restricted access and shall remain under restricted access until withdrawn or until further Order of the Court.

4. Any deposition testimony that refers to or discusses these materials designated as confidential shall be similarly treated.

Dated this 9th day of June, 2020.

BY THE COURT:

/s/ Cheryl R. Zwart
United States Magistrate Judge